

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 RANDY COY HENDERSON,

10 Petitioner,

11 v.

12 STEVE SINCLAIR,

13 Respondent.  
14

Case No. C08-5718FDB-KLS

ORDER TRANSFERRING  
SECOND OR SUCCESSIVE  
PETITION

15 The Court, having reviewed the Report and Recommendation and the remaining record, hereby  
16 finds and ORDERS:

- 17 (1) the Magistrate Judge's Report and Recommendation is approved and adopted;  
18 (2) the petition (Dkt. #6) is TRANSFERRED to the Ninth Circuit as a second or successive  
19 petition.  
20 (3) the Clerk is directed to enter this Order and send copies to petitioner, any other party that  
21 has appeared in this action, and the Hon. Karen L. Strombom.  
22 (4) the Clerk is further directed to administratively close this file.

23 DATED this 14<sup>th</sup> day of April 2009.

24  
25 

26 FRANKLIN D. BURGESS  
27 UNITED STATES DISTRICT JUDGE  
28